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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,479	10/06/2000	Hidehiro Matsumoto	Q61026	8765

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EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/680,479

Applicant(s)

MATSUMOTO, HIDEHIRO

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This communication is responsive to Request for Reconsideration, filed 08/12/03.
2. Claims 1-29 are pending in this application. Claims 1, 10, 18, 20, 22, and 27 are independent claims. This action is a non-final rejection.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

#### *Claim Rejections - 35 USC § 102*

4. Claims 1-2, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Dozier et al. (U.S. Patent No. 5,870,552).

As to claim 1, Dozier teaches a portable terminal system comprising:

a server (server, col. 5 line 45 and col. 6 line 44) storing text contents (source document, col. 6 lines 42-52) which are supposed to be displayed at a display section of a portable terminal (client computer, col. 6 lines 42-43), and Dozier shows help contents (suggested anchor items, col. 14 lines 24-42) which show a method of utilizing said text contents (col. 14 lines 29-53, and col. 13 line 50-col. 15 line 20); and

a portable terminal including a text browser (figs. 8a-b and 10a-d) provided for use in perusing the text contents stored in said server (server, col. 5 line 45 and 6 line 44), and provided for use in perusing the help contents also stored in said server (col. 3 lines 50-56).

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As to claims 2 and 10, Dozier teaches a portable terminal includes a text browser (figs. 8a-b and 10a-d) provided for user in perusing text contents which are supposed to be displayed at a display section of the portable terminal (client computer, col. 3 lines 55-56 and col. 6 lines 42-43), and help browser provided for use in perusing help contents which show a method of utilizing said text contents (col. 14 lines 29-53).

***Claim Rejections - 35 USC § 103***

5. Claims 3-9, 11-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dozier et al. (U.S. Patent No. 5,870,552) in view of Pepe et al. (U.S. Patent No. 5,742,905).

As to claims 8, 9, 16, and 17, Dozier teaches that portable terminal (see claim 1 above) but does not clearly show the portable terminal can be a cellular phone and a pager, and the PDA set to the effective state, said switch-key controlling means lights up light (or vibrates) emitting sections (or buttons) corresponding to the switch keys being set to the effective state. Pepe clearly teaches a cellular phone, PDA with all functions of a regular PDA (col. 5 lines 41-67) so the PDA can be set to the effective state, said switch-key controlling means lights up light (or vibrates) emitting sections (or buttons) corresponding to the switch keys being set to the effective state. It would have been obvious at the time of the invention, a person with ordinary skill in the art would want to have Pepe's PDA with all features in Dozier's template editing system to provide services to users to communicate from anywhere to anywhere at any time (col. 1 lines 36-39).

As to claim 22, Dozier teaches a portable terminal communication system comprising:

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an information source server connected to a network and operable to separately store target content and help content, wherein the help content is ancillary to the target content and is provided to assist in retrieval of the target content (see the rejection of claim 1 above and col. 15 line 1-col. 16 line 65); although, Dozier also shows that a standard personal computer is being used to access/connect the Network or the Internet in the invention (col. 1 lines 12-43) means a user's computer as mentioned above could be a Laptop computer, a cellular phone, and PDA (it is well known in the art that those devices could be communicated with others in both wireline and wireless connections). However, Dozier does not specifically show a wireless device, a radio gateway server to connect both wireless and wireline network. Pepe clearly teaches a cellular phone, PDA with using radio signal in communications (col. 5 lines 41-67, and col. 18 lines 7-28). It would have been obvious at the time of the invention, a person with ordinary skill in the art would want to have Pepe's radio signal, wireline, and wireless communications with all features in Dozier's template editing system to provide services to users to communicate from anywhere to anywhere at any time (col. 1 lines 36-39), and easy to access resources available in different environments.

As to claims 25, 26, 28 and 29, they are similar in scope to claims 8 and 9. Note the rejections of claims 8 and 9 above.

As to claims 3, 11, and 24, Dozier teaches a portable terminal to display text contents and help contents on a browser (see claim 1 above); however, Dozier does not further teach that the portable terminal includes a judging means for judging whether a message inputted from outside belongs to a text message or a help message, and activates either said text browser or said help browser in accordance with a result of judgment by the judging mean. Pepe clearly teaches the

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judging means for judging whether a message belong to text contents or help contents (using segment IDs in message delivery and notifications, col. 14 lines 53-67 and col. 15 lines 1-15). It would have been obvious at the time of the invention that a person with ordinary skill in the art would add this highly desirable judgment feature of Pepe's communication system in Dozier so that the information can be divided independently and uniquely (col. 14 lines 54-56).

As to claims 4 and 12, Dozier provides help browser outputs said help contents as text, voice, static images, moving images (col. 1 lines 40-65, col. 13 line 50-col. 14 line 63 and figs. 4, 8a-b).

As to claim 18, it is a method claim that corresponds to the product of claims 10-11. Note the rejections of claims 10-11 above.

As to claim 19, it is a method claim that corresponds to the product of claim 12. Note the rejection of claim 12 above.

As to claim 20, it is a program product claim that corresponds to the product and method claims 10, 11, and 18. Note the rejections of claims 10, 11, and 18 above.

As to claim 21, it is a program product claim that corresponds to the product and method claims 12 and 19 above. Note the rejections of claims 12 and 19 above.

As to claims 5, 6, 7, 13, 14, 15, and 23 Dozier provides a plurality of switch keys for use operations for using said text contents, and switch-key controlling means for setting each of said plurality of switch keys to either an effective state or an ineffective state depending on the contents of said help contents (using icons, col. 4 lines 11-26).

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judging means for judging whether a message belong to text contents or help contents (using segment IDs in message delivery and notifications, col. 14 lines 53-67 and col. 15 lines 1-15). It would have been obvious at the time of the invention that a person with ordinary skill in the art would add this highly desirable judgment feature of Pepe's communication system in Dozier so that the information can be divided independently and uniquely (col. 14 lines 54-56).

As to claims 4 and 12, Dozier provides help browser outputs said help contents as text, voice, static images, moving images (col. 1 lines 40-65, col. 13 line 50-col. 14 line 63 and figs. 4, 8a-b).

As to claim 18, it is a method claim that corresponds to the product of claims 10-11. Note the rejections of claims 10-11 above.

As to claim 19, it is a method claim that corresponds to the product of claim 12. Note the rejection of claim 12 above.

As to claim 20, it is a program product claim that corresponds to the product and method claims 10, 11, and 18. Note the rejections of claims 10, 11, and 18 above.

As to claim 21, it is a program product claim that corresponds to the product and method claims 12 and 19 above. Note the rejections of claims 12 and 19 above.

As to claims 5, 6, 7, 13, 14, 15, and 23 Dozier provides a plurality of switch keys for use operations for using said text contents, and switch-key controlling means for setting each of said plurality of switch keys to either an effective state or an ineffective state depending on the contents of said help contents (using icons, col. 4 lines 11-26).

*Response to Arguments*

6. Applicant's arguments filed in a Request for Reconsideration have been fully considered but they are not persuasive.

Applicants argued the following:

- a. Dozier does not teach or suggest "help contents that show a method of utilizing text contents."
- b. Dozier's anchor items is not the same as "help contents that show a method of utilizing text contents."
- c. Dozier does not show "an information source server that can separately store both target content as well as help content, wherein the help content is ancillary to target content and is provided to assist in retrieval of the target content."
- d. Neither Dozier nor Pepe teach "judging whether an inputted message is a text message or a help message, or activating either a text browser or a help browser based on the result of the judgment."
- e. Neither Dozier nor Pepe teach "a help display processor operable to display help data that is exclusively for assisting in retrieval of the target data."

The Examiner disagrees for the following reasons:

Per (a) and (b), Dozier clearly teaches processing algorithms to generate automatically a list of suggestions served as help content and then review the suggestions based on the provided information served as text content (col. 13 line 50-col. 15 line 20).

Per (c), Dozier clearly teaches a server for processing an appropriate message served as help content to the application server, causing server software to initiate appropriate database



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actions to get data from different database storages based on the input information served as text content (col. 15 line 1-col. 16 line 65).

Per (e) and (f), Dozier clearly shows the judgment by automatically generating a list of suggestions (help content) and then review the suggestions based on the provided information (text content) (col. 13 line 50-col. 15 line 20); and processing an appropriate message to the application server, causing server software to initiate appropriate database actions (col. 15 line 1-col. 16 line 65) such as incorporating, modifying, or discarding the input information (col. 13 lines 60-67) by defining and comparing the input information (the provided information) with the suggested anchor items (the list of suggestions) (col. 13 line 50-col. 14 line 62).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong

12/31/03

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